

SUBPOENA AD TESTIFICANDUM

**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**

To Alaris Health at Hamilton Park
525 Monmouth St., Jersey City, NJ 07302

As requested by PAUL A. THOMAS, on behalf of the General Counsel

whose address is 1015 Half St. SE, Washington, DC 20003

(Street)	(City)	(State)	(ZIP)
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YOU ARE HEREBY REQUIRED AND DIRECTED TO APPEAR BEFORE An agent
of the National Labor Relations Board

at 20 Washington Place, 5th Floor

in the City of Newark, NJ 07102

on February 28, 2020 at 9:30 a.m. or any adjourned

Alaris at Hamilton Park Health Care Center

or rescheduled date to testify in 22-CA-180566
(Case Name and Number)

And you are hereby required to bring with you witnesses competent to testify to the following matters:

SEE ATTACHMENT

If you do not intend to comply with the subpoena, within 5 days (excluding intermediate Saturdays, Sundays, and holidays) after the date the subpoena is received, you must petition in writing to revoke the subpoena. Unless filed through the Board's E-Filing system, the petition to revoke must be received on or before the official closing time of the receiving office on the last day for filing. If filed through the Board's E-Filing system, it may be filed up to 11:59 pm in the local time zone of the receiving office on the last day for filing. Prior to a hearing, the petition to revoke should be filed with the Regional Director; during a hearing, it should be filed with the Hearing Officer or Administrative Law Judge conducting the hearing. See Board's Rules and Regulations, 29 C.F.R Section 102.31(b) (unfair labor practice proceedings) and/or 29 C.F.R. Section 102.66(c) (representation proceedings) and 29 C.F.R Section 102.111(a)(1) and 102.111(b)(3) (time computation). Failure to follow these rules may result in the loss of any ability to raise objections to the subpoena in court.

B-1-180SDXD

Under the seal of the National Labor Relations Board, and by direction of the Board, this Subpoena is

Issued at Washington, DC

Dated: January 31, 2020


John Ring, Chairman



NOTICE TO WITNESS. Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed. A witness appearing at the request of the General Counsel of the National Labor Relations Board shall submit this subpoena with the voucher when claiming reimbursement.

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is mandatory in that failure to supply the information may cause the NLRB to seek enforcement of the subpoena in federal court.

Exhibit E

Case 22-CA-180566

RETURN OF SERVICE

B-1-180SDXD

I certify that, being a person over 18 years of age, I duly served a copy of this subpoena

(Check method used.)

- ☐ by person
- ☒ by certified mail
- ☐ by registered mail
- ☐ by telegraph
- ☐ by leaving copy at principal office or place of business at

on the named person on

January 31, 2020

(Month, day, and year)

Phyllis Jones

(Name of person making service)

Paralegal

(Official title, if any)

CERTIFICATION OF SERVICE

I certify that named person was in attendance as a witness at

on

(Month, day or days, and year)

(Name of person certifying)

(Official title)

NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that the National Labor Relations Board will take the deposition upon oral examination of Alaris Health at Hamilton Park (“Alaris Hamilton”). This deposition shall take place on **February 28, 2019**, beginning at 9:30 a.m., at the offices of the National Labor Relations Board Region 22, 20 Washington Place, 5th Floor, Newark, NJ 07102, or any amended, continued or rescheduled date, time, and/or place, and shall be taken by transcription of recorded audio, before an officer authorized to administer oaths.

YOU ARE REQUIRED to produce one or more officers, directors, managing agents, or other persons who consent to testify on behalf of Alaris Hamilton with respect to the matters set forth below. If you designate more than one individual to testify on the organization’s behalf, you must set out the matters on which each person designated will testify. Those individuals must be prepared to testify about all information known or reasonably available to Alaris Hamilton. If no information pertaining to a particular topic is either known or reasonably available to the organization, please state that fact in your designation of testifying individuals and the reasons therefore. The NLRB reserves the right to supplement the list of matters for examination upon notice.

The topics for examination may include any or all of the following:

1. Alaris Hamilton’s receipt of the judgment of the United States Court of Appeals for the Third Circuit in *NLRB v. Alaris Health at Hamilton Park*, Case No. 18-3009;
2. Each of the specific steps taken to comply with that judgment, and the dates and details of what was done;
3. The nature of the organization of Alaris Hamilton, including its management structure;
4. The nature of particular individuals’ responsibilities in regard to compliance with the Third Circuit’s judgment, i.e. which individual was responsible for completing which task;
5. The manner in which those tasks were completed, including obstacles to completion, if any; and
6. Correspondence among Alaris Hamilton’s agents regarding compliance with the Third Circuit’s judgment.

Dated: January 31, 2020

Paul A. Thomas, Trial Attorney
National Labor Relations Board
Contempt, Compliance, and Special
Litigation Branch
1015 Half St. SE
Washington, D.C. 20003
(202) 273-3788